

**CERTIFICATION OF ADMINISTRATIVE RULES  
OF THE DEPARTMENT OF REVENUE  
FILED WITH THE SECRETARY OF STATE  
BRIAN P. KEMP**

(Pursuant to O.C.G.A. §§ 50-13-3, 50-13-4 and 50-13-6.)

I do hereby certify that the attached Rules are correct copies as promulgated and adopted on the 15<sup>th</sup> of October, 2010.

GEORGIA DEPARTMENT OF REVENUE

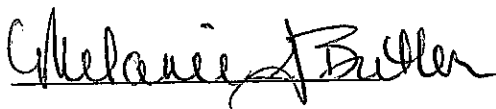
Filing Date: October 1, 2010.

The Georgia Department of Revenue has adopted:

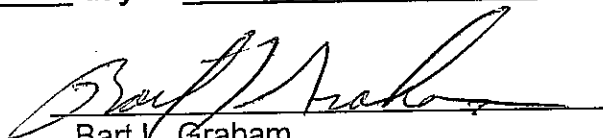
- 560-2-12-.01, entitled "Definitions."
- 560-2-12-.02, entitled "License Application for the Sale of Alcoholic Beverages."
- 560-2-12-.03, entitled "Alcoholic Beverage License."
- 560-2-12-.04, entitled "Duties of Carrier."
- 560-2-12-.05, entitled "Driver's Duties."
- 560-2-12-.06, entitled "Contracting Customer."

The aforementioned Rules are being adopted under the authority of O.C.G.A. §§ 3-1-5, 3-2-2, 3-2-23, 3-3-24.2 and 3-9-6.

Sworn to and subscribed before me this 15<sup>th</sup> day of October, 2010.



(Signature of Notary Public)  
(Notary Public Seal)



Bart L. Graham  
Commissioner  
Georgia Department of Revenue

Notary Public, Rockdale County, Georgia  
My Commission Expires Nov. 19, 2012

**RULES  
OF  
DEPARTMENT OF REVENUE  
ALCOHOL AND TOBACCO DIVISION**

**CHAPTER 560-2-12  
LIMOUSINE**

**560-2-12-.01 Definitions – Limousine.**

(1) As used in these regulations:

(a) "Carrier" shall mean a limousine as defined in O.C.G.A. § 46-7-85-.5 and:

1. Has been issued a certificate in accordance with Article 3 of Chapter 7 of Title 46.
2. Has its vehicles registered with the Department. And
3. Is authorized by the Department to sell Alcoholic Beverages.

(b) "Contracting Customer" shall mean the person who:

1. Is the contracting party retaining the services of the Carrier.
2. Is liable for payment of the services. And
3. Is a passenger in the Registered Vehicle for the duration of the contracted time period.

(c) "Limousine" shall mean a vehicle as defined in O.C.G.A. § 46-7-85.1(4);

(d) "Permitted Employee" shall mean a carrier's employees or agents or contractors who have been:

1. Retained by the Carrier to drive its Registered Vehicles.
2. Issued an approved chauffeur certificate in accordance with O.C.G.A. § 46-7-85.10. And
3. Listed with the Department as a driver of its Registered Vehicles by the Carrier.

(e) "Registered Vehicle" shall mean a limousine that:

1. Is owned or leased by a Carrier.
2. Has been registered by the Carrier with the Department to allow for the sale of Alcoholic Beverages. And
3. Has posted the Department's sticker and all other required signage in all registered vehicles.

Authority: O.C.G.A. §§ 3-2-2, 3-9-6.

**RULES  
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DEPARTMENT OF REVENUE  
ALCOHOL AND TOBACCO DIVISION**

**CHAPTER 560-2-12  
LIMOUSINE**

**560-2-12-.02 License Application for the Sale of  
Alcoholic Beverages – Limousine.**

(1) An applicant for a Limousine Carrier Alcoholic Beverage License shall:

(a) Submit a completed application to the Department in the form and manner prescribed by the Department.

1. The application must include:

(i) A list of Carrier's vehicles that will be selling Alcoholic Beverages including:

(ii) Year, make and model;

(iii) Vehicle Identification Number (VIN); and

(iv) License plate number.

(v) A list of all drivers, agents or contractors who may drive a Registered Vehicle, including:

- I. Name and residential address;
- II. Date of birth; and
- III. Georgia Driver's License Number.

(vi) Copy of the driver's Chauffeur's Permit issued pursuant to O.C.G.A. § 46-7-85.9;

(vii) Copy of the certificate issued pursuant to Article 3 of Chapter 7 of Title 46;

(vii) A license fee of \$50.00 with application; and

(ix) A registration fee of \$15.00 for each vehicle operated by the Carrier that will sell Alcoholic Beverages.

Authority: O.C.G.A. §§ 3-2-2, 3-9-6.

**RULES  
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**CHAPTER 560-2-12  
LIMOUSINE**

**560-2-12-.03 Alcoholic Beverage License –  
Limousine.**

(1) Upon the Department's approval of a Carrier's application, the Department shall issue a nontransferable license for a term of one calendar (1) year with an expiration date of December 31, to the Carrier and the appropriate Department sticker for each Registered Vehicle.

(a) Application and renewal for the license shall be made prior to November 1 for the succeeding calendar year.

(2) A Registered Vehicle shall be subject to inspection by the Commissioner or the Commissioner's agents for the purpose of inspecting the Premises and enforcing applicable laws and regulations.

(3) A Carrier shall:

(a) Comply with all applicable local laws, state laws and regulations concerning the sale of Alcoholic Beverages by a Retail Consumption Dealer;

(b) Post the signs required by O.C.G.A. §§ 3-1-5 and 3-3-24-2 in each Registered Vehicle of the Carrier so that the signs are readily visible to all occupants of the Registered Vehicle;

(c) Maintain a current Public Service Commission certificate as required by the Code; and

(d) Register all vehicles in which Alcoholic Beverages will be sold and affix the required Department sticker.

1. The sticker shall be affixed in the bottom left portion of the rear windshield so as to be visible from the outside.

2. The sticker issued to the Carrier shall not be transferable to another vehicle or owner.

(4) Annually a Carrier shall:

(a) Submit a renewal application and remit a license fee of \$50.00; and

(b) Remit a renewal registration fee of \$15.00 for each vehicle operated by the Carrier that will sell Alcoholic Beverages.

(5) A Carrier is authorized to obtain and purchase Alcoholic Beverages only from a Georgia licensed retail Alcoholic Beverage dealer.

(6) Failure to meet all requirements of this Regulation may result in suspension or revocation of the Carrier's Alcoholic Beverage license.

Authority: O.C.G.A. §§ 3-1-5, 3-2-2, 3-2-32, 3-3-24.2, 3-9-6.

**RULES  
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ALCOHOL AND TOBACCO DIVISION**

**CHAPTER 560-2-12  
LIMOUSINE**

**560-2-12-.04 Duties of Carrier – Limousine.**

(1) All Carriers selling Alcoholic Beverages shall:

(a) Notify the Department within fifteen (15) calendar days of employment of new employees who may operate a Registered Vehicle, or existing employees who may be selected to operate a Registered Vehicle.; and

(b) Store all stocked Alcoholic Beverages in an enclosed, locked, tamper proof container permanently attached to the inside of the Registered Vehicle.

1. The container shall be in a fixed location not accessible to the operator of the Registered Vehicle.

(2) All Distilled Spirits stocked by the Carrier shall:

(a) Be in unbroken Packages; and

(b) Be sold in fifty (50) Milliliter bottles only.

(3) All Carriers shall maintain a copy of:

(a) The Carrier's license to sell Alcoholic Beverages in each Registered Vehicle; and



(b) Each driver's Chauffeur's Permit issued pursuant to O.C.G.A. § 46-7-85.9.

(4) A copy of the signed and dated contract for limousine service between the Contracting Passenger and the Carrier shall be kept with the alcohol receipts of sales to that Passenger.

(5) A Licensee shall maintain, for three (3) years from the date of purchase of the Alcoholic Beverage, separate records relating to the purchase and sale of Alcoholic Beverage for the Carrier's Registered Vehicles as specified in O.C.G.A. § 3-3-6 and these Regulations.

(6) Upon the first violation of these Regulations, a Carrier shall be subject to revocation of registration of the vehicle involved in the violation for one (1) year and the offending *driver* shall be removed from the listing of Permitted Employees.

(7) A subsequent violation within three (3) years of any prior violation of these Regulations, by a Carrier for the sale of Alcoholic Beverages from an unregistered vehicle, or the sale of Alcoholic Beverage by a non-permitted employee of the Carrier, shall result in revocation or suspension of the *Carrier's* license to sell Alcoholic Beverages in any of the Carrier's vehicles for a minimum of one (1) year.

Authority: O.C.G.A. §§ 3-2-2, 3-9-6.

**RULES  
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**CHAPTER 560-2-12  
LIMOUSINE**

**560-2-12-.05 Driver's Duties – Limousine.**

(1) An employee not permitted with the Department shall not operate any Registered Vehicle when Alcoholic Beverages are stocked in the vehicle by the Carrier.

(2) The permitted employee of the Registered Vehicle shall:

(a) Not serve any Alcoholic Beverage to any passenger;

(b) Verify before any passengers are allowed to enter the vehicle, that the Contracting Customer is of legal drinking age and will be a passenger in the vehicle during the entire contract period;

(c) Upon verification of the Contracting Customer's legal drinking age, provide the Contracting Customer with access to the secure container where the Alcoholic Beverage is stored;

(d) Be responsible for ensuring that all partially consumed Alcoholic Beverages left in the Registered Vehicle are delivered to the Carrier's main facility for disposal;

(e) Maintain a copy of the driver's Chauffeur's Permit issued pursuant to § 46-7-85.9; and

(f) Maintain copy of the certificate issued to Carrier pursuant to Article 3 of Chapter 7 of Title 46.

(3) No passenger shall be permitted to remove any stocked or partially consumed Alcoholic Beverage from the Registered Vehicle.

(4) When Alcoholic Beverages have been ordered by any passenger(s) the sale shall be evidenced by a signed receipt indicating:

- (a) Which passenger(s) ordered Alcoholic Beverages;
- (b) Identity of the Alcoholic Beverage sold; and
- (c) Quantity of the Alcoholic Beverage that was sold.

Authority: O.C.G.A. §§ 3-2-2, 3-9-6.

**RULES  
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**CHAPTER 560-2-12  
LIMOUSINE**

**560-2-12-.06 Contracting Customer – Limousine.**

(1) If the Contracting Customer is a legal entity other than a natural person, then any natural person who is an authorized agent of the legal entity may assume the role of Contracting Customer upon presentation of documentation establishing such person as an authorized agent.

(2) A Contracting Customer who is a natural person may, prior to the use of the Registered Vehicle, designate another natural person of legal age for purchasing of Alcoholic Beverages to be the Contracting Customer, provided both parties notify the Carrier in writing about their agreement.

(a) Upon presentation of the written agreement to the Carrier, the designated natural person shall assume all responsibility of the Contracting Customer for the purchase of Alcoholic Beverages.

Authority: O.C.G.A. §§ 3-2-2, 3-9-6.